

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number

Substitute for form 1449A/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary)				Complete if Known	
				Application Number	10/673,125
				Filing Date	September 26, 2003
				First Named Inventor	Robert Stanley Tull, Jr.
				Art Unit	3676
				Examiner Name	
Sheet	1	of	3	Attorney Docket Number	040173CONCONCONCON

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number - Kind Code ² (if known)			
		US-4,346,442	08-24-1982	Musmanno	
		US-4,376,978	03-15-1983	Musmanno	
		US-4,722,055	01-26-1988	Roberts	
		US-4,736,294	04-05-1988	Gill et al.	
		US-4,742,457	05-03-1988	Leon et al.	
		US-4,752,877	06-21-1988	Roberts et al.	
		US-4,774,663	09-27-1988	Musmanno et al.	
		US-4,953,085	08-28-1990	Atkins	
		US-5,214,579	05-25-1993	Wolfberg et al.	
		US-5,245,533	09-14-1993	Marshall	
		US-5,291,398	03-01-1994	Hagan	
		US-5,946,667	08-31-1999	Tull, Jr. et al.	
		US-6,092,056	07-18-2000	Tull, Jr. et al.	

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ³ -Number ⁴ -Kind Code ⁵ (if known)				

Examiner Signature		Date Considered	
--------------------	--	-----------------	--

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number

Substitute for form 1449A/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary)				Complete if Known	
				Application Number	10/673,125
				Filing Date	September 26, 2003
				First Named Inventor	Robert Stanley Tull, Jr.
				Art Unit	3676
Examiner Name					
Sheet	2	of	3	Attorney Docket Number	040173CONCONCONCON

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	T ²
		United States Patent Application No. 08/223,797, filed April 6, 1994. (Attorney Docket No. 040173).	
		"STANDARD & POOR'S DEPOSITARY RECEIPTS™," "Capture the 'Market' in One Investment," dual sided brochure, 1993, PDR Services Corporation, 4 pages.	
		MORGAN STANLEY, "OPALS - Questions and Answers - Optimized Portfolios as Listed Securities," 11-page brochure.	
		MORGAN STANLEY, "OPALS," 11-page brochure.	
		"Financial Instruments Protected," <i>New York Times</i> , December 30, 1989, 1 page.	
		JOHN R. DORFMAN, "Master Limited Partnerships Regain Fans Thanks to Special Treatment of Payouts," <i>The Wall Street Journal</i> , August 19, 1993, p. C1, 2 pages.	
		MICHAEL R. SESIT, "U.S., Europe Take the Lead In Global Stock Investments," <i>The Wall Street Journal</i> , p. C1, 3 pages.	
		MORGAN STANLEY, "OPALS - Composition - Tracking Performance - Pricing - List of Available Securities," dual sided brochure, 4 pages.	
		TRACY CORRIGAN, "Morgan Stanley plans issue of up to \$10bn Opals," <i>The Financial Times Limited</i> , April 30, 1993, p. 27.	
		MORGAN STANLEY CAPITAL (CAYMAN ISLANDS) LIMITED, "Optimised Portfolios As Listed Securities (OPALS SM), Series No.: 7, December 2, 1993, 4 pages.	
		GROUP OF THIRTY, "Clearance and Settlement Systems in the World's Securities Markets," March 1989, 86 pages.	

Examiner Signature		Date Considered	
--------------------	--	-----------------	--

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number

Substitute for form 1449A/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary)				Complete if Known	
				Application Number	10/673,125
				Filing Date	September 26, 2003
				First Named Inventor	Robert Stanley Tull Jr.
				Art Unit	3676
				Examiner Name	
Sheet	3	of	3	Attorney Docket Number	040173CONCONCONCON

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	T ²
		MORGAN STANLEY CAPITAL (CAYMAN ISLANDS) LIMITED, "Optimised Portfolios As Listed Securities ("OPALS" SM) PROGRAMME, December 2, 1993, 27 pages.	
		"Opals System Overview (how we did it)," March 29, 1993, 9 pages.	
		"STANDARD & POOR'S DEPOSITARY RECEIPTS TM , ('SPDRs') TM " "SPDR Trust Series 1, A Unit Investment Trust," January 22, 1993, 56 pages.	
		"Bundled Index Depository Securities (BIDS) Business Plan," February 1992, 52 pages.	
		International Search Report for International Application PCT/US 95/04222 dated July 17, 1995, 4 pages.	
		ERIC A. CHIAPPINELLI, "Reinventing A Security: Arguments For A Public Interest Definition," <i>Washington & Lee Law Review</i> , Vol. 49, n3, Summer 1992, pp. 957-985.	
		PETER F. POPE and PRADEEP K. YADAV, "Discovering Errors in Tracking Error," <i>The Journal of Portfolio Management</i> , Winter 1994, pp.27-32.	
		RANDALL SMITH, "IRS Is Abandoning Challenge to Status of Popular LYONs," <i>The Wall Street Journal</i> , January 22, 1992, 1 page.	

Examiner Signature		Date Considered	
--------------------	--	-----------------	--

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.